THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.8456 of 1996

Date:21.03.2006

Between:

APSRTC

-------PETITIONER

AND

The State Transport Appellate Tribunal and others.

---------RESPONDENTS

ORDER:

This writ petition is filed assailing the order, dated 12.01.996, passed by the State Transport Appellate Tribunal, the first respondent herein.

The third respondent filed an application for grant of pakka permit on a town service from Nizamabad to Tiramanapalli. The Regional Transport Authority, the second respondent herein, rejected the application, on the ground that it overlaps the approved scheme in respect of a moffusil route. Aggrieved thereby, the third respondent filed an appeal before the first respondent. The appeal was allowed through the order, dated 12.01.1996. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner, the learned Government Pleader for Transport appearing for respondents 1 and 2 and the learned counsel for the third respondent.

Identical question was dealt with by the Supreme Court in ***A.P.S.R.T.C v REGIONAL TRANSPORT AUTHORITY & ANOTHER*** and following the same, this Court allowed

W.P.No.19310 of 2005 through order, dated 07.10.2005. The order passed by the State Transport Tribunal was set aside and the matter was remanded to the Tribunal for fresh consideration.

In view of the same, the writ petition is allowed and the impugned order is set aside. The matter is remanded to the first respondent for fresh consideration in accordance with law. If, in case, the third respondent is operating the vehicle, status quo obtaining as on today shall be maintained, till the disposal of the appeal by the first respondent.

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21.03.2006

kdl

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